

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Interstate and International Cooperation, to which was referred House Bill 1873, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, line 4, delete ", whether".
- 2 Page 3, line 4, delete "at a port or elsewhere".
- 3 Page 3, line 5, after "Indiana," insert "**other than at a port,**".
- 4 Page 7, line 41, delete "To lend the proceeds of any revenue bonds
- 5 to a borrower".
- 6 Page 7, delete line 42.
- 7 Page 8, delete line 1.
- 8 Page 8, line 2, delete "(8)".
- 9 Run in page 7, line 41 through page 8, line 2.
- 10 Page 8, line 7, reset in roman "(8)".
- 11 Page 8, line 7, delete "(9)".
- 12 Page 8, line 10, reset in roman "(9)".
- 13 Page 8, line 10, delete "(10)".
- 14 Page 8, line 13, reset in roman "(10)".

- 1 Page 8, line 13, delete "(11)".
- 2 Page 8, line 16, reset in roman "(11)".
- 3 Page 8, line 16, delete "(12)".
- 4 Page 8, line 19, reset in roman "(12)".
- 5 Page 8, line 19, delete "(13)".
- 6 Page 9, line 1, delete "(14)" and insert "(13)".
- 7 Page 9, line 7, delete "(15)" and insert "(14)".
- 8 Page 9, line 16, delete "(16)" and insert "(15)".
- 9 Page 9, line 22, delete "(17)" and insert "(16)".
- 10 Page 9, line 24, delete "(18)" and insert "(17)".
- 11 Page 9, line 26, delete "(19)" and insert "(18)".
- 12 Page 15, line 20, delete "section 16.5 of this chapter." and insert
- 13 **"IC 8-10-4."**
- 14 Page 18, delete lines 10 through 33.
- 15 Page 21, line 23, delete "or project".
- 16 Page 21, line 24, after "." insert **"However, an exemption under**
- 17 **this subsection is not available for land not located at a port."**
- 18 Page 22, line 7, strike "port".
- 19 Page 22, line 8, delete "or".
- 20 Page 22, line 13, after "a" strike "port".
- 21 Page 22, line 13, after "a port" delete "or".
- 22 Page 22, line 13, reset in roman "term".
- 23 Page 22, line 13, delete "terms".
- 24 Page 22, line 13, strike ""port"".
- 25 Page 22, line 13, after ""port"" delete "and".
- 26 Page 22, after line 28, begin a new paragraph and insert:
- 27 "SECTION 24. IC 8-10-4-1 IS AMENDED TO READ AS
- 28 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) As used in this
- 29 chapter, "self-liquidating ~~port~~ project" shall mean a ~~port~~ project for
- 30 which a lease or leases have been executed providing for payment of
- 31 rental in an amount at least sufficient to pay the interest and principal
- 32 of such bonds to be issued to finance the cost of such ~~port~~ project and
- 33 further providing for the payment by the lessee or lessees of all costs
- 34 of maintenance, repair, and insurance of such ~~port~~ project.
- 35 (b) Other words and terms used in this chapter shall have the same
- 36 meaning as in other provisions of this article, unless otherwise
- 37 specifically provided.
- 38 SECTION 25. IC 8-10-4-2 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. In addition to the
 2 powers conferred upon the Indiana port commission by other
 3 provisions of this article, the commission, in connection with any
 4 self-liquidating port project, shall have the following powers
 5 notwithstanding any other provision of this article to the contrary:

6 (a) The revenue bonds issued by the commission to finance the
 7 cost of such self-liquidating port project may be issued without
 8 regard to any maximum interest rate limitation in this article or
 9 any other law.

10 (b) The revenue bonds issued by the commission to finance the
 11 cost of such self-liquidating port project may be sold in such
 12 manner, either at public or private sale, as the commission may
 13 determine, and the provisions of IC 4-1-5 shall not be applicable
 14 to such sale.

15 **(c) IC 4-13.6, IC 5-16 (other than IC 5-16-7), and IC 36-1-12**
 16 **do not apply to projects to be leased to a private party whose**
 17 **lease payments are expected to be sufficient to pay all debt**
 18 **service on bonds issued by the commission to finance the**
 19 **project. However, the private party must comply with**
 20 **IC 5-16-7.**

21 SECTION 26. IC 8-10-4-3 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. Any lease of a port
 23 project may provide that the lessee, as its reasonable portion of the
 24 commission's administrative expense incurred during the term of the
 25 lease which the lessee is required to pay by IC 8-10-1-10, shall pay to
 26 the commission for the use of the harbor, the public docking facilities
 27 and public wharves and piers, all harbor, dockage, and wharfage
 28 charges established by the commission.

29 SECTION 27. IC 8-10-4-4 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. The cost of any port
 31 project may include, instead of the cost of the acquisition of the land
 32 constituting the site of such port project, the value of such land as
 33 determined by the commission. The proceeds of any revenue bonds
 34 representing the value of such land shall be deposited in the Indiana
 35 port fund.

36 SECTION 28. IC 8-10-4-5 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. The commission may
 38 contract for the use of any license, process or device, whether patented

1 or not, which the commission finds is necessary for the operation of
2 any ~~port~~ project, and may permit the use thereof by any lessee on such
3 terms and conditions as the commission may determine. The cost of
4 such license, process or device may be included as part of the cost of
5 the ~~port~~ project."

6 Renumber all SECTIONS consecutively.
(Reference is to HB 1873 as introduced.)

and when so amended that said bill do pass.

Representative Kromkowski